

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Heiner GLOMBIK *et al.* ) Prior Group Art Unit: 1626  
)  
Application No.: Unassigned ) Prior Examiner: RAMSUER, Robert W.  
)  
Filed: Herewith )  
)  
For: DIARYLCYCLOALKYL )  
DERIVATIVES, PROCESSES FOR )  
THEIR PREPARATION AND )  
THEIR USE AS )  
PHARMACEUTICALS )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application and before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents were previously submitted in a prior application, application no. 10/231,432, filed on August 30, 2002, upon which applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

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Dated: August 1, 2003

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## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	02481.1801-01000	Appln. No.	Not Yet Assigned
Applicant	Heiner GLOMBIK et al.		
Filing Date	Herewith	Group:	Not Yet Assigned

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	6,380,230	4/2002	Brodin et al.			
	6,342,512	1/2002	Kirsch et al.			
	6,245,744	6/2001	Frick et al.			
	6,221,897	4/2001	Frick et al.			
	6,221,633	4/2001	Ertl et al.			
	5,814,647	9/1998	Urban et al.			
	5,190,923	3/1993	Vincent et al.			
	3,174,901	3/1965	Sterne			

## FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
98/08871	3/1998	PCT			
97/26265	7/1997	PCT			
99/03861	1/1999	PCT			
97/41097	11/1997	PCT			
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WO 00/64876	11/2000	PCT			
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	00/64888	11/00	PCT			
	00/64876	11/00	PCT			

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
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Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce

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